

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

D-1 Yusef Hairston, and

D-2 Daquan Hawkins

Case: 4:23-mj-30310

Assigned To : Ivy, Curtis, Jr

Assign. Date : 7/26/2023

Description: IN RE SEALED MATTER (kcm)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 21, 2023 in the county of Genesee in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. §§ 922(o) and 2

Illegal possession of a machine gun; and Aiding and  
abetting illegal possession of machine gun

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: \_\_\_\_\_

City and state: Flint, Michigan

*Complainant's signature*

Todd Monfette, Special Agent, ATF&amp;E

*Printed name and title*

*Judge's signature*

Curtis Ivy, Jr, United States Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Special Agent Todd Monfette, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION & AGENT BACKGROUND**

1. I make this affidavit from personal knowledge based on the following: my participation in this investigation, including witnessing interviews by myself and/or other law enforcement officers, communications with others who have personal knowledge of the events and circumstances described herein, and information gathered through my training and experience. The information outlined below is for the limited purpose of obtaining a criminal complaint and an arrest warrant. I have not set forth each and every fact I have learned in this investigation.

2. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Department of Justice, assigned to the Detroit Field Division since July 2017. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with ATF, I have conducted and/or participated in numerous criminal investigations involving the possession and use of firearms, drug trafficking violations, criminal street gangs and other violations of federal law.

### **PURPOSE OF AFFIDAVIT**

3. The purpose of this affidavit is to establish probable cause that on or about July 21, 2023, in the Eastern District of Michigan, Yusef Hairston (DOB: XX/XX/1993) violated 18 U.S.C. § 922(o) (illegal possession of a machine gun), and that Daquan Hawkins (XX/XX/1988) aided and abetted Hairston, in violation of 18 U.S.C. §§ 922(o) and 2.

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause of violation of federal criminal offenses, specifically 18 U.S.C. §§ 922(o).

### **PROBABLE CAUSE**

5. In July of 2023, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) conducted an investigation into the illegal possession and sale of machine guns by Yusef Hairston and Daquan Hawkins in the city of Flint, Michigan.

6. On July 21, 2023, ATF utilizing ATF special agents acting in an undercover capacity (UCA) conducted a controlled purchase of fifty-one (51) machine gun conversion devices specifically designed for Glock pistols, commonly known as a

“switches” or “Glock switches<sup>1</sup>,” from Hairston who was aided by Hawkins. The controlled purchase was conducted at Hawkins’ residence located on Miami Lane, Flint, MI.

7. Prior to the controlled purchase on July 21, 2023, the UCA conducted multiple recorded phone calls to Hawkins who informed the UCA the machine gun conversion devices were available for purchase. Hawkins directed the UCA to his residence to complete the transaction. On July 21, 2023, ATF UCAs equipped with audio and video recording devices traveled to Hawkin’s residence.

8. Prior to the arrival of the UCAs, ATF special agents (S/A) and Task Force Officers (TFO), along with members of the Michigan State Police helicopter unit, conducted surveillance of Hawkins’ Miami Lane residence. Surveillance units observed the following:

- Hairston’s known white Chevrolet Impala with a black hood and black rims parked on Miami Lane directly across from Hawkins’ residence.
- Hairston, wearing white shorts and a white tank top standing in the front of Hawkin’s residence.

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<sup>1</sup> A Glock switch is a small device that can be attached to the rear of the slide of a Glock handgun, converting the semi-automatic pistol into a machine gun pistol capable of fully automatic fire, that is, automatically shooting more than one shot, without manual reloading, by a single function of the trigger. *See* 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(b). The term machine gun also includes “any part designed and intended solely and exclusively...for use in converting a weapon into a machinegun....” *Id.* Accordingly, the Glock switch itself is a “machine gun.” *Id.*

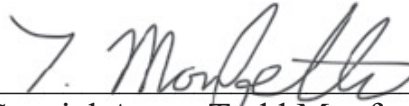
9. Upon arrival at Hawkins' residence, UCAs observed and greeted Hairston and Hawkins in front of the residence. The parties entered the residence and walked into the kitchen/dining room area. The UCA discussed the purchase price per switch. Hairston informed the UCA the price was \$300 per switch.

10. Hairston discussed future sales of switches and AR style drop-in auto sears with the UCA. Hairston explained an approximate timeframe for additional orders. Hairston then removed a light blue marijuana dispensary bag from inside the crotch area of his pants and provided it to the UCA. The UCA removed the contents of the marijuana dispensary bag which included one (1) clear plastic bag containing the complete components for fifty (50) machine gun conversion devices (switches), and an additional clear plastic bag with the complete components of one (1) additional Glock switch for a total of fifty-one (51) machine gun conversion devices (switches).

11. The UCA provided Hairston and Hawkins with an amount of pre-recorded government funds in exchange for the machine gun conversion devices. Hairston and Hawkins proceeded to count the prerecorded government funds. At the conclusion of counting the prerecorded government funds, Hairston provided Hawkins with an amount of the funds and stated, "...this all you" as he pushed the funds across the table to Hawkins.

**CONCLUSION**

12. Based upon the above information, probable cause exists to believe that Yusef Hairston, aided and abetted by Daquan Hawkins, illegally possessed a machine gun, in violation of 18 U.S.C. § 922(o), and 2. These violations occurred on or about July 21, 2023, in the Eastern District of Michigan.



Special Agent Todd Monfette  
Bureau of Alcohol, Tobacco, Firearms and Explosives

Subscribed and sworn before me and/or  
by reliable electronic means.



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Honorable Curtis Ivy, Jr.  
United States Magistrate Judge

Dated: July 26, 2023